

# CITY COUNCIL MEETING

## MONDAY, OCTOBER 14, 2013 – 7:00 PM

### COUNCIL CHAMBERS, CITY HALL

Mayor Connors called the meeting to order at 7:00 p.m.

The Pledge of Allegiance was led by Alderman Kupsik.

**Roll Call.** Present: Mayor Connors, Aldermen Hougen, Wall, Mott, Hill, Kupsik, Kehoe, Taggart and Lyon. Also present: Administrator Jordan, City Attorney Draper and Deputy Clerk Roenspies.

**Awards, Presentations, and Proclamations.** None.

**Re-consider business from previous meeting.** None.

**Comments from the public as allowed by Wis. Stats. §19.84(2), limited to items on this agenda, except for public hearing items. Comments will be limited to 5 minutes.**

Jim Strauss, 246 Ridge Road, commented on the Employee Handbook.

**Acknowledgement of Correspondence.** Letter from Southeastern Wisconsin Regional Planning Commission notifying the City of upcoming workshops on long-range land use and transportation plans.

#### **Approval of Minutes**

Lyon/Kehoe motion to approve the regular meeting minutes of September 23, 2013, removing the minor typo noted by the Mayor. Unanimously carried.

#### **CONSENT AGENDA**

A. Original Class “B” Fermented Malt Beverage & “Class C” Wine License applications filed by The Original Chicago Pizza Company, Inc., 150 Center St., Lake Geneva, John Regester, Agent

B. Original 2013-2014 Operator (Bartender) License applications filed by Brittney Smoger, Judith Horgen, Sarah Rowe, Julia Barbaria, David Henchel Jr., Kami Miller, Brian Monahan, Shelly Yopp, Kara Voght, Sue Spencer, Gail Gauger-Geyer, William Stephan, Jordan Levendusky, William Wright, Pierre Burgess, Jessica Cercas, Shannon McDonough, Sarai Lopez, Julie Duesterbeck, and Frances Learn.

Kupsik/Taggart motion to approve. Unanimously carried.

Items removed from the Consent Agenda. None.

#### **Public hearing on Ordinance 13-21 on the amending of existing impact fees**

Attorney Draper explained this ordinance is to remove impact fees except for the Wastewater and Utility until the water connection study is completed; in the mean time, they will leave it in place. He further added that this is repealing the right to collect but not to spend. Alderman Hill does not wish to include Park Impact fees. Attorney Draper replied that we can continue to exist under the old Park Impact Fees unless changing the use. The government gives us a limited time by state statute. Any fees remaining thereafter will be refunded to the current owner of the property. Discussion followed.

Kupsik/Taggart motion to close the public hearing. Unanimously carried.

Hill/Mott motion to instruct staff to draft Ordinance 13-21 to eliminate the Fire and Library impact fees, and adding language that will allow us to spend the current fund balances.

#### **First reading of Ordinance 13-22, an ordinance to correct a scrivener’s error in Ordinance 13-19**

Attorney Draper explained the ordinance was changed when a dance studio went into the business park. It was inadvertently left out a section that allows a physical activity studio in the Planned Business Park and this is correcting that omission.

**Second reading of Ordinance 13-20, amending the Zoning Map of the City of Lake Geneva, Walworth County, Wisconsin, from Planned Development (PD) to Multi-family (MR-8) for a certain property in the City (Tax Key Number ZWRI 00002)**

Hougen/Hill motion to accept Ordinance 13-20 amending the Zoning Map of the City of Lake Geneva, Walworth County, Wisconsin, from Planned Development (PD) to Multi-family (MR-8) for a certain property in the City (Tax Key Number ZWRI 00002). Unanimously carried.

**Discussion/Action on Agreement of Cooperative Relationship between the City of Lake Geneva and Geneva Lakes Area YMCA, establishing a City Council liaison on the YMCA Board of Directors**

It has come to the City Attorney's attention that it is necessary to document this agreement.

Hill/Mott motion to approve the agreement of Cooperative Relationship between the City of Lake Geneva and Geneva Lakes Area YMCA, establishing a City Council liaison on the YMCA Board of Directors. City Attorney Draper explained that we have a close working relationship with the YMCA. We provide them with funding and they operate a number of youth and other activities using City properties; so instead of having a full Park and Recreation department, they help coordinate some of these activities for our citizens. Alderman Kehoe noted the liaison is a non-voting member. Alderman Hill questioned the liability in case of injury; Attorney Draper said the City has recreational immunity under our liability insurance. Unanimously carried.

**Finance, License and Regulation Committee Recommendations – Alderman Hill**

**Discussion/Action on renewal of a TID CD in the amount of \$143,149.57 maturing on October 21, 2013**

Hill/Kupsik to approve the renewal of a TID CD in the amount of \$143,149.57 maturing on October 21, 2013 with BMO Harris at the rate of .35%. Motion carries 8-0.

**Discussion/Action on labor attorney review of draft employee handbook (*recommended by Personnel Committee 9/26/13*)**

Hill/Wall motion to approve the labor attorney review of draft employee handbook at a cost not to exceed \$1500 which includes the attendance of the attorney at the meeting. Alderman Hill recommended including the spreadsheet showing the full benefits when the handbook comes to Council. Motion carries 8-0.

**Resolution 13-R57, authorizing the transfer of monies from the TID discretionary account to the TID front-end loader account in the amount of \$62,450.00**

Hill/Kupsik motion to approve Resolution 13-R57 authorizing the transfer of monies from the TID discretionary account to the TID front-end loader account in the amount of \$62,450.00 with the balance coming from Capital. Motion carries 8-0.

**Resolution 13-R58, authorizing the transfer of monies from the TID discretionary account to the TID Main Street Waterway Enclosure Project account in the amount of \$287,942.00**

Hill/Hougen to approve Resolution 13-R58 authoring the transfer of monies from the TID discretionary account to the TID Main Street Waterway Enclosure Project account in the amount of \$287,942.00. Motion carries 8-0.

**Resolution 13-R59, establishing the 2014 West End Pier, Lagoon Slip, Buoy, Dinghy and Kayak Rack Rates (*recommended by Piers, Harbors and Lakefront Committee 9/26/13*)**

Alderman said this comes to this body without recommendation from Finance & License.

Kupsik/Kehoe to approve Resolution 13-R59, establishing the 2014 West End Pier, Lagoon Slip, Buoy, Dinghy and Kayak Rack Rates. Alderman Kupsik said there were some questions regarding the lack of increase. Alderman Wall explained that last year the rates went up 5%, and the Lagoon rates went up more than 10%, so Piers and Harbors voted to roll over the rates from last year. Alderman Hill opined that we are much lower than others around the lake and recommends making smaller increases each year. Kupsik/Kehoe withdrew the motion. Kupsik/Hill motion to refer this back to Piers and Harbors for reconsideration. Hougen commented that resident rates are not able to be compared with other cities that include additional perks in their rates. Alderman Wall said the rates they compared to last year were all from around Lake Geneva. The Mayor added we may be reaching the saturation point on renting out our buoys and slips. Motion carries 7-1, with Alderman Hougen voting no.

**Personnel Committee – Alderman Kupsik**

**Discussion/Action on amended employment contract for city comptroller**

Kupsik/Hill motion to approve the amended employment contract for city comptroller at the rate of \$68,500. 00 effective January 1, 2014. Alderman Hill explained this is still significantly under what some others in similar roles in neighboring communities are making. Motion carries 8-0.

**Public Works Committee – Alderman Mott**

2013 Joint and Crack Cleaning and Sealing Bid to Asphalt Service of Rochester, WI in the amount of \$20,000

*(recommended by the Public Works Committee)*

Mott/Wall motion to award the 2013 Joint and Crack Cleaning and Sealing Bid to Asphalt Service of Rochester, WI in the amount of \$20,000 funded from Capital. Motion carries 8-0.

**Presentation of Accounts – Alderman Hill**

Purchase Orders. None

Hill/Lyon motion to approve the prepaid bills in the amount of \$20,190.81. Motion carries 8-0.

Hill/Kupsik motion to approve the regular bills in the amount of \$509,973.82. Motion carries 8-0.

**Mayoral Appointments – Mayor Connors**

Discussion/Action on appointment of Alderman Kupsik as Council liaison to the Geneva Lakes Area YMCA Board of Directors *(continued 9/23/13)*

Hill/Wall motion to approve. Unanimously carried.

Discussion/Action on appointment of Gary Ahnert as the citizen representative to the Geneva Lake Environmental Agency

Kupsik/Taggart to approve. Unanimously carried.

**Closed Session**

Kupsik/Taggart motion to go into Closed Session pursuant to Wis. Stat. 19.85 (1)(e) for competitive bargaining reasons for Fire and Police union negotiations (Administrator Jordan)

Hougen/Kehoe motion to return to open session pursuant to Wisconsin Statutes 19.85 (2) and take action on any items discussed in Closed Session

Hill/Hougen motion to instruct staff to move forward with union negotiations as discussed in closed session. Unanimously carried.

Mott/Kehoe motion to adjourn at 8:48. Unanimously carried.

/s/ Artis M. Roenspies, Deputy City Clerk

**THESE ARE NOT OFFICIAL MINUTES UNTIL APPROVED BY THE COMMON COUNCIL**